

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 12, 15-24, 26, and 27 are pending in this application, Claim 25 having been canceled without prejudice or disclaimer; Claims 12 and 26 having been currently amended; and Claim 27 having been added. Support for amended Claims 12 and 26 can be found, for example, in the original claims, drawings, and the specification as originally filed.¹ No new matter has been added.

In the outstanding Office Action, the drawings and the specification were objected to due to informalities; Claims 12 and 15-26 were rejected under 35 U.S.C. § 112, first paragraph; Claims 12, 14-19, 21-22, and 25-26 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi et al. (U.S. Patent No. 6,859,535; hereinafter “Tatebayashi”) in view of Chan et al. (U.S. Patent No. 6,226,237; hereinafter “Chan”); Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi in view of Chan and Schneier (Applied Cryptography Second Edition; hereinafter “Schneier”); Claim 23 was rejected under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi in view of Chan and Jones et al. (U.S. Patent No. 6,697,944; hereinafter “Jones”); and Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi in view of Chan and Boothroyd et al. (U.S. Patent No. 5,267,123; hereinafter “Boothroyd”).

In regard to the objection to the drawings and the specification, Applicants have deleted the objected to feature of transferring copyrighted music data to the external card even if power of said central processing unit is turned off, as requested in the Office Action.

Accordingly, Applicants respectfully request that the objection to the drawings and the specification be withdrawn.

¹ See page 25, line 14 to page 26, line 8, and page 30, lines 1-14 of the specification.

Similarly, in regards to the rejection of Claims 12 and 15-26 under 35 U.S.C. § 112, first paragraph, Applicants respectfully submit that amended Claim 12 complies with the written description requirement, as Applicants have deleted the feature of transferring copyrighted music data to the external storage card even if power of said central processing unit is turned off.

Accordingly, Applicants respectfully request that the rejection of Claims 12 and 15-26 under 35 U.S.C. § 112, first paragraph, be withdrawn.

In response to the rejection of Claims 12, 14-19, 21, 22, 25, and 26 under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi in view of Chan, Applicants have amended independent Claim 12 to recite features formerly of Claim 25. Applicants respectfully submit that amended independent Claim 12 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 12 is directed to a general-purpose computer including, *inter alia*:

- ...a loading mechanism, which is integrally arranged on a case of said general-purpose computer, for detachably accommodating an external storage card;

- a decoding mechanism configured to decode data read from said external storage card;

- a reproduction mechanism configured to reproduce decoded data decoded by said decoding mechanism;

- a power controller configured to supply power to said general-purpose computer, wherein said power controller supplies power to said decoding mechanism and said reproduction mechanism even if power of said central processing unit is turned off, and said loading mechanism is configured to read said decoded data based on commands from said central processing unit when said general-purpose computer is in an active state and said loading mechanism is configured to read said decoded data based on commands from an external storage card control mechanism integrally arranged on said case of said general-purpose computer, without control

of a central processing unit, when said general-purpose computer is in an inactive state;

a cross-authentication mechanism configured to cross-authenticate said external storage card through said loading mechanism; and

a control mechanism configured to supply copyrighted data read from said external storage card to said reproducing mechanism upon successful cross-authentication by said cross-authentication mechanism even if power of said central processing unit is turned off,

wherein said power controller supplies power to said cross-authentication mechanism and said control mechanism even if power of said central processing unit is turned off and when said external storage card has been cross-authenticated with said general-purpose computer, said external storage card control mechanism plays copyrighted music data stored on said external storage card even if power of said central processing unit is turned off, ***and said encrypted data is encrypted by a Data Encryption Standard encryption/decryption unit included in said external storage card.***

Page 12 of the outstanding Office Action, in the rejection of Claim 25, asserts that “Tate and Chan taught that said encrypted data is encrypted by a Data Encryption Standard encryption/decryption unit included in said external storage card (Tate Col. 16 Lines 16-35).” Applicants respectfully disagree.

Column 16, lines 17-20 of Tatebayashi states that “[t]he encryption unit 360 includes a processor, a ROM for storing programs, and a RAM for providing a work area. The encryption unit 360 also prestores the encryption algorithm E2 that conforms to DES.” Thus, the above portion of Tatebayashi describes that encryption unit 360 includes a RAM and prestores an encryption algorithm E2 that conforms to DES.” However, as clearly seen in Figure 5 of Tatebayashi, the encryption unit 360 is included in the memory card ***writer*** 300. Thus, Tatebayashi does not describe that the encryption unit is included in an ***external storage card***. Hence, Tatebayashi fails to teach or suggest that “encrypted data is encrypted

by a Data Encryption Standard encryption/decryption unit included in said *external storage card*,” as recited in Applicants’ amended independent Claim 12.

Applicants respectfully submit that amended independent Claim 12 (and all claims depending thereon) patentably distinguishes over Tatebayashi and Chan, either alone or in proper combination.

Accordingly, Applicants respectfully request that the rejection of Claims 12, 14-19, 21, 22, 25, and 26 under 35 U.S.C. § 103(a) as unpatentable over Tatebayashi in view of Chan be withdrawn.

Similarly, the Schneier, Jones, and Boothroyd references cited in the rejections of dependent Claims 20, 23, and 24 fail to cure the deficiencies of Tatebayashi and Chan. Thus, at the very least by virtue of dependency on Claim 12, Claims 20, 23, and 24 are also believed to be patentably distinguishing over the cited references. The outstanding grounds for rejection of Claims 20, 23, and 24 should also be withdrawn and it is so requested.

In order to vary the scope of protection recited in the claims, new Claim 27 is added. New Claim 27 finds non-limiting support in the disclosure as originally filed, for example at page 26, lines 1-8 of the specification.

Therefore, the changes to the claims are not believed to raise a question of new matter.²

² See MPEP 2163.06 stating that “information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter.”

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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